

This is no different than we handle all other pieces of legislation. Based on those assurances, we have consented to vitiate the cloture vote—that happened earlier today—and allow the debate to move forward.

Under the process we have agreed upon, the foundation of the Senate's upcoming debate on immigration policy will be the bipartisan committee bill.

I will have more to say about immigration policy in the coming days. For now, I want to express my satisfaction that the full Senate will be allowed to debate the comprehensive, bipartisan immigration bill that the Senate Judiciary Committee reported yesterday. I welcome that debate.

Mr. LEAHY, Mr. President, I filed an enforcement amendment to the bill on March 7 and look forward to an opportunity to offer that amendment and have it considered by the Senate. My amendment is the "Honest Services Amendment," No. 2924.

The purpose of my amendment is to articulate more clearly the line that cannot be crossed without incurring criminal liability. If we are serious about lobbying reform, the Senate will adopt this amendment. It was only with the indictments of Abramoff, Scanlon, and Cunningham that Congress took note of the scandal that has grown over the last years.

If we are to restore public confidence, we need to provide better tools for Federal prosecutors to combat public corruption in our Government. I explained this amendment back on March 9, and a copy of it is included in the CONGRESSIONAL RECORD of that day.

This amendment creates a better legal framework for combating public corruption than currently exists under our criminal laws. It specifies the crime of Honest Services Fraud Involving Members of Congress and prohibits defrauding or depriving the American people of the honest services of their elected representatives.

Under this amendment, lobbyists who improperly seek to influence legislation and other official matters by giving expensive gifts, lavish entertainment and travel and inside advice on investments to Members of Congress and their staff would be held criminally liable for their actions.

The law also prohibits Members of Congress and their staff from accepting these types of gifts and favors or holding hidden financial interests in return for being influenced in carrying out their official duties. Violators are subject to a criminal fine and up to 20 years imprisonment, or both.

This legislation strengthens the tools available to Federal prosecutors to combat public corruption in our Government. The amendment makes it possible for Federal prosecutors to bring public corruption cases without all of the hurdles of having to prove bribery or of working with the limited and nonspecific honest services fraud language in current Federal law.

The amendment also provides lobbyists, Members of Congress, and other individuals with much needed notice and clarification as to what kind of conduct triggers this criminal offense.

In addition, my amendment authorizes \$25 million in additional Federal funds over each of the next 4 years, to give Federal prosecutors needed resources to investigate corruption and to hold lobbyists and other individuals accountable for improperly seeking to influence legislation and other official matters.

The unfolding public corruption investigations involving lobbyist Jack Abramoff and MZM demonstrate that unethical conduct by public officials has broad-ranging impact. These scandals undermine the public's confidence in our Government. Earlier this month, the Washington Post reported that as an outgrowth of the Cunningham investigation, Federal investigators are now looking into contracts awarded by the Pentagon's new intelligence agency, the Counterintelligence Field Activity, to MZM, Inc., a company run by Mitchell J. Wade who recently pleaded guilty to conspiring to bribe Mr. Cunningham.

The American people expect, and deserve, to be confident that their representatives in Congress perform their legislative duties in a manner that is beyond reproach and that is in the public interest.

Because I strongly believe that public service is a public trust, I urge all Senators to support this amendment. If we are serious about reform and cleaning up this scandal we will do so. I hope the Republican leadership and the managers of the bill will accord me the opportunity to offer the amendment and improve the underlying measure.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the bill tomorrow morning, Senator FEINGOLD be recognized to offer his amendment No. 2962 relating to the definition of "lobbyist" for purposes of gifts; provided further that there be 40 minutes equally divided for debate prior to a vote in relation to the amendment, with no second-degree amendments in order to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, all time until we resume the bill tomorrow count against the time limit under the provisions of rule XXII. I fur-

ther ask unanimous consent that all first-degree amendments that qualify under rule XXII be offered no later than 11 a.m. on Wednesday, other than a managers' amendment to be cleared by the managers and the two leaders.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HOLDS ON INTELLIGENCE AUTHORIZATION

Mr. KERRY. Mr. President, earlier today, my colleague from Alabama, Senator SESSIONS, alleged that I have a "hold" on the Intelligence Authorization Act. Nothing could be further from the truth.

I know that in the heat of debate on the Senate floor, words can sometimes come out faster than a Member might intend, so I harbor no ill will toward my colleague. But in the interest of accuracy, I wish to set the record straight.

Last autumn, many of us were shocked to read allegations in the press of secret clandestine prisons operated around the world by the CIA as part of the war on terror. Congress has a responsibility to perform oversight in all things, including the intelligence community's conduct in the war on terror. In discussing this amendment last fall, I said, and I repeat today, no one is passing judgment on whether these alleged facilities should be closed. We are simply saying that Congress—and specifically the duly established intelligence committees of the House and Senate—need to know what is going on.

On November 10, 2005, I offered an amendment to the National Defense Authorization Act requiring the Director of National Intelligence to provide a secret report to the Intelligence Committees of the House and Senate on the operation, past or present, of these alleged facilities. It would also have required a report on the planned disposition of those allegedly held at these facilities and a determination as to whether interrogation techniques at these facilities were consistent with U.S. obligations under the Geneva Convention and the Convention against Torture.

In debating this amendment, I was delighted to work with my colleague, Senator ROBERTS, the chairman of the Senate Select Committee on Intelligence, and his vice chairman, Senator ROCKEFELLER, to perfect the text of the amendment so they could support it. It passed with overwhelming bipartisan support by a vote of 82 to 9.

About 1 month later, the House of Representatives voted 228 to 187 to urge

House-Senate negotiators to include the amendment in their conference report. The House Armed Services Committee, however, was concerned that the amendment was beyond the scope of their jurisdiction and the provision was stripped out in conference.

I turned then to the Intelligence Authorization Act and again worked with Senator ROBERTS and Senator ROCKEFELLER to prepare the amendment anew for inclusion in that legislation. The amendment was identical to the provision passed previously in the Senate and endorsed by the House and was cleared by Senator ROBERTS for passage by unanimous consent. But someone objected to the unanimous consent request to pass this vital bill by voice vote. Since that time, the legislation has lingered because someone doesn't want a vote on this amendment or the amendments offered by my colleague from Massachusetts, Senator KENNEDY.

I know my friend from Alabama voted against my amendment when it was on the floor in November. I am sure he would vote against it again. We can agree to disagree on this issue, but his assertion that I have placed a hold on the intelligence bill is simply not true.

Mr. KENNEDY. Mr. President, earlier today, the Senator from Alabama, Senator SESSIONS said that Senator KERRY and I objected to Senate consideration of the intelligence authorization bill because we wish to offer amendments.

In fact, neither Senator KERRY nor I have objected to this bill and no other Democrat has objected to considering it. The bill is cleared on the Democratic side. That means an unidentified Republican Senator or Senators have placed a hold on the bill and are preventing the Senate from considering it.

I do have two amendments to the bill. My first amendment would require the administration provide to the Intelligence Committee with the presidential daily briefs on Iraq from 1997 to the first day of the Iraq war as part of the committee's investigation on the use of prewar intelligence. I would certainly be willing to support a time agreement allowing reasonable debate and a vote on the amendment.

My second amendment would guarantee that detainees held by the intelligence community would be treated humanely, and that treatment would be verified independently.

Apparently, to prevent debate on this very important issue, a Republican Senator is willing to let the whole intelligence bill fail. That's an outrage.

It's important for the Senate to approve the intelligence authorization bill, and it's important for the Senate to get to the bottom of the abuse of intelligence the administration used to justify war.

#### GREEK INDEPENDENCE DAY

Mr. MENENDEZ. Mr. President, I am honored to address the Senate in cele-

bration of the 185th anniversary of Greek independence. On March 25, 1821, the Greeks revolted against nearly 400 years of repressive rule by the Ottoman Empire and began their journey toward independence.

And in honor of that historic day, the United States and Greece stand together in our commitment to the principles of democracy, freedom, and independence.

In honor of that day, we celebrate the achievements and contributions of the Greek state and her people. We honor Greece's accomplishments in history, science, philosophy, mathematics, literature, and art.

In honor of that day, we recognize and celebrate our own democratic heritage in this Nation. The Greeks believed in self-governance, and our Founding Fathers incorporated the ancient Greeks' political experience and philosophy when they formed our representative democracy. Greek ideas of government and freedom have had an immense and unparalleled influence in the world and in this Nation. And I would like to thank the Greek people for leading the way and giving us the inspiration to pursue these ideals.

In honor of that day, we celebrate the contributions of the more than 1 million Greek-Americans in this country. In New Jersey alone, there are over 61,000 Greek-Americans who contribute daily to the economic, political, and cultural fabric of this Nation.

Over the years, not only has Greece supported the United States in every major international conflict in the last century, but it has stood by this country after the September 11 terrorist attacks. And Greece generously supported us with aid after the devastating effects of Hurricane Katrina here on our soil.

And we should stand with Greece and protect the human and religious rights of the Ecumenical Patriarch. This is an issue that not only affects the Greek community but is important to all communities. We must protect the rights of the Ecumenical Patriarchate as Turkey has: refused to recognize the Ecumenical Patriarchate's international status and its significance to Orthodox Christians around the world, impeded training for the clergy while requiring that all candidates for the Holy Synod be Turkish nationals; confiscated 75 percent of the Ecumenical Patriarchal properties, and levied a 42 percent retroactive tax on the Balukli Hospital which is run by the Ecumenical Patriarchate.

Last year, as Member of the House, I authored a resolution calling on Turkey to eliminate all forms of discrimination and to respect the human and religious rights of the Ecumenical Patriarchate. And that language sent a strong message to Turkey when it was included in the State Department authorization bill which passed the House last year.

Now, as a U.S. Senator, I will remain firm in my position and will continue

to work hard to make sure Turkey ends its discrimination and persecution against the Ecumenical Patriarchate.

As Aeschines, one of ancient Greece's more gifted orators once said, "In a democracy, it is the laws that guard the person of the citizen and the constitution of the state, whereas the despot and the oligarch find their protection in suspicion and in armed guards."

From the history of democracy to the religious freedom and human rights of the Ecumenical patriarchate, we in this Nation share this common vision with Greece and her people.

And the United States of America stands proudly with Greece in honor of our shared commitment to democracy, freedom, and independence.

#### NOMINATION OF WILLIAM MYERS TO 9TH CIRCUIT COURT OF APPEALS

Mr. CRAPO. Mr. President, I rise today to note that it has now been more than one full year that the nomination of William Myers to the 9th Circuit Court of Appeals has been pending on the Senate Calendar. On March 17, 2005, the Judiciary Committee approved the Myers nomination by a vote of 10-8. Unfortunately, this was not the first time Mr. Myers has been approved by the Judiciary Committee. We are also approaching the two-year anniversary when Bill Myers was approved by the Judiciary Committee in the 108th Congress on April 1, 2004.

Last year, with the so-called "Gang of 14" agreement, many pending nominees finally received their long-overdue up or down votes on the Senate floor. Unfortunately, Bill Myers was not one of those nominees, despite the fact that he has the support of a bipartisan majority of this Senate. On July 20, 2004, Bill Myers received 53 votes to end the filibuster on his nomination. The time has come to give Bill Myers his long-overdue up or down vote on the Senate floor. His nomination has been pending on the Senate calendar for a full year now and I urge the Senate leadership to bring this nomination up for a vote.

Bill Myers is a highly respected attorney who was approved unanimously by this Senate in 2001 to serve as Solicitor of the Department of Interior. Former Democratic Governor of Idaho Cecil Andrus, who also served as Interior Secretary in the Carter administration, says that Bill Myers possesses "the necessary personal integrity, judicial temperament and legal experience" as well as "the ability to act fairly on matters of law that will come before him on the court." As a nominee to fill an Idaho seat on the 9th Circuit, Bill Myers has the full support of the entire Idaho congressional delegation.

Bill Myers is a qualified nominee and there is no justification for continuing to filibuster or delay his nomination. My fellow Idahoans and all residents in the 9th Circuit deserve to have their appeals heard in a timely manner. To do this, we must fill all vacancies on